

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER GLENN LAKEY,

Defendant.

CR-17-04-BU-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 9, 2022. (Doc. 68.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on February 8, 2022. (Doc. 208.) The United States accused Lakey of violating his conditions of supervised release 1) by using methamphetamine on two separate occasions; 2) by committing another crime; by failing to report for substance abuse testing; and 4) by using heroin. (Doc. 60.)

At the revocation hearing, Lakey admitted that he had violated the conditions of his supervised 1) by using methamphetamine on two separate occasions; 2) by committing another crime; by failing to report for substance abuse testing; and 4) by using heroin. (Doc. 63.) Judge Johnston found that the violations Lakey admitted proved to be serious and warranted revocation, and recommended that Lakey receive a custodial sentence of 12 months, with no supervised release to follow. (Doc. 68.) Lakey was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights. (Doc. 63.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc.68) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Christopher Glenn Lakey be sentenced to the Bureau of Prisons for 12 months, with no supervised release to follow.

DATED this 9th day of February, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court